

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

UNITED STATES OF AMERICA )

v. )

JERRY WAYNE CULVER )

CR. NO. 2:05-CR-213-MEF

**MOTION FOR LEAVE TO DISMISS INDICTMENT**

Comes now the United States of America by and through its Attorney for the Middle District of Alabama, Leura G. Canary, and moves this Court for leave to dismiss the Indictment heretofore filed in the above-styled cause as to Jerry Wayne Culver on the following grounds:

1. The Federal Bureau of Prison determined that the defendant is not competent to continue to trial or through the judicial process, pursuant to Title 18, USC, § 4241, 4246, and 4247;
2. The Federal Bureau of Prison determined that the defendant would not be able to be restored to competency, pursuant to Title 18, USC, § 4241, 4246, and 4247; and,
3. In the interest of justice.

Respectfully submitted this the 11<sup>th</sup> day of May, 2007.

Respectfully submitted,

LEURA G. CANARY  
UNITED STATES ATTORNEY

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**MOTION GRANTED**

THIS 11<sup>th</sup> DAY OF MAY, 2007

  
MARK E. FULLER  
UNITED STATES DISTRICT JUDGE